

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

CHARLES W. BRUNS III

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PLAINTIFF

v.

CAUSE NO. 1:04cv794 LG-JMR

GARBER, ET AL.

DEFENDANTS

**ORDER ADOPTING REPORT AND RECOMMENDATION
GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

This cause comes before the Court on the Report and Recommendation of Chief United States Magistrate Judge John M. Roper entered in this cause on April 2, 2007. Magistrate Judge Roper reviewed the Defendants' Motion for Summary Judgment and determined that it should be granted, as the Defendants had shown there was no question of material fact for the jury. The Plaintiff did not file a response to the Defendants' Motion for Summary Judgment, nor has he filed an objection to the Report and Recommendation. After review of this matter, the Court, being duly advised in the premises, finds that said Report and Recommendation should be adopted as the opinion of this Court.

IT IS THEREFORE ORDERED AND ADJUDGED that the Report and Recommendation of Chief United States Magistrate Judge John M. Roper entered in this cause on April 2, 2007 [57] should be, and the same hereby is, adopted as the finding of this Court.

IT IS FURTHER ORDERED AND ADJUDGED that the Defendants' Motion for Summary Judgment [55-1] is **GRANTED**. Plaintiff's claims against the Defendants are **DISMISSED**.

SO ORDERED AND ADJUDGED this the 17th day of April, 2007.

s/ Louis Guirola, Jr.

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE